

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

FILED
TIME

JUN 15 2022

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL BRAMMER,

Defendant.

CASE NO. 2-22-CR-101

JUDGE MARBLEY

INFORMATION

18 U.S.C. § 371

FORFEITURE

RICHARD W. NAGEL, Clerk of Court
COLUMBUS, OHIO

THE UNITED STATES ATTORNEY CHARGES:

BACKGROUND

1. From on or about October 7, 2009, through on or about September 3, 2020, the defendant, **MICHAEL BRAMMER**, was an employee and agent of the Ohio State University.

2. **BRAMMER** worked at Ohio State's Surplus Department, where his responsibilities included evaluating and disposing of surplus assets of the University, including used computers and peripherals, generally through recycling or public sale. Assets deemed "recyclable" were sold in bulk at a low cost to recycling vendors, while assets deemed "saleable" were sold by the Surplus Department at a public sale.

3. Each year from 2014 through 2020, Ohio State received in excess of \$10,000 of Federal benefits from the U.S. Department of Education and other Federal programs involving a grant, contract, subsidy, loan, guarantee, insurance, or other form of Federal assistance.

COUNT 1

(Conspiracy to Commit Federal Program Theft)

4. Paragraphs 1 through 3 are incorporated here.

5. From in or around October 2014, and continuing thereafter until in or around May 2020, in the Southern District of Ohio, **MICHAEL BRAMMER** and Coconspirators 1 and 2,

whose identities are known to the United States Attorney, knowingly and voluntarily conspired and agreed to commit federal program theft, in violation of 18 U.S.C. § 666(a)(1)(A).

Manner and Means of the Conspiracy

6. It was part of the conspiracy that:
 - a. Coconspirators 1 and 2 told **BRAMMER** the types of assets they wanted to acquire from the Surplus Department at an artificially reduced rate, sometimes in general terms, and sometimes by identifying specific assets in the Surplus Department's inventory.
 - b. Coconspirator 2 suggested to **BRAMMER** that the two should communicate about these assets via a secure messaging system, WhatsApp, rather than through more standard text messaging applications.
 - c. **BRAMMER** knew that the assets identified by Coconspirators 1 and 2 held significant value and should be retained for the Surplus Department to sell at a public sale. Nevertheless, he treated these assets as recyclable and sold them, on behalf of the Surplus Department, to Coconspirators 1 and 2 at prices he knew to be well below their market value.
 - d. In exchange for receiving what they knew to be artificially reduced prices, Coconspirators 1 and 2 paid kickbacks in cash directly to **BRAMMER**.
 - e. **BRAMMER** deposited the cash received from Coconspirators 1 and 2 into bank accounts under his control.

Overt Acts

7. In furtherance of the conspiracy and to accomplish its objects, the following overt acts, among others, were committed in the Southern District of Ohio:

- a. On or about July 14, 2016, via WhatsApp, **BRAMMER** sent Coconspirator 2 several images, including several Apple laptop computers at the Surplus Department. Coconspirator 2 responded, “Ok great.” After sending Coconspirator 2 another image of computers, **BRAMMER** sent a message to Coconspirator 2 at 11:07am: “I have 15 come on now total \$2000.” At 12:37pm that day, **BRAMMER** deposited \$2,000 at a nearby Huntington Bank Branch.
- b. On or about August 23, 2016, via WhatsApp, **BRAMMER** sent Coconspirator 2 a photograph of over 20 Apple laptops. The two arranged an exchange for the following day, and on August 24, 2016, **BRAMMER** provided Coconspirator 2 with 15 laptops and one desktop for \$1,600. On August 24, 2016, **BRAMMER** deposited \$1,000 in cash into his bank account. On August 25, 2016, **BRAMMER** deposited \$1,500 in cash into his bank account.
- c. On or about April 26, 2018, via WhatsApp, **BRAMMER** sent Coconspirator 2 photographs of computer items. “Lock them up!!,” Coconspirator 2 responded, then followed up with a handwritten list of several computer items. On April 27, 2018, **BRAMMER** deposited \$1,300 in cash in his bank account.
- d. On or about August 15, 2018, Coconspirator 1 withdrew \$6,000 from his bank account and gave it to **BRAMMER** as a cash kickback, and **BRAMMER** deposited the cash in his bank account on August 16, 2018.
- e. On or about October 16, 2019, Coconspirator 1 withdrew \$3,000 in cash from his bank account and gave it to **BRAMMER** as a cash kickback, and **BRAMMER** deposited the cash in his bank account the same day.

- f. On or about November 7, 2019, Coconspirator 1 withdrew \$3,000 in cash from his bank account and gave it to **BRAMMER** as a cash kickback, and **BRAMMER** deposited the cash in his bank account the same day.

In violation of 18 U.S.C. § 371.

FORFEITURE

8. The allegations contained in this Information are incorporated here for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c).

9. Upon conviction of any offense alleged in Count 1 of this Information in violation of Title 18, United States Code, Section 371 (Conspiracy to Commit Federal Program Theft), the defendant, **MICHAEL BRAMMER**, shall forfeit to the United States, in accordance with Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), any property, real or personal, constituting or derived from proceeds traceable to such violation, including, but not limited to, a sum of money equal to the amount of proceeds **BRAMMER** obtained as a result of such offense.

Forfeiture in accordance with Title 18, United States Code, Section 981(a)(1)(C), Title 28, United States Code, Section 2461(c), and Rule 32.2 of the Federal Rules of Criminal Procedure.

KENNETH L. PARKER
UNITED STATES ATTORNEY



DAVID J. TWOMBLY (0092558)
Assistant United States Attorney